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Applicant... Microsoft Corp.
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Examiner .... Shin
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Title: Methods and Systems for Retrieving, Organizing, and Playing Media Content

APPEAL BRIEF

To: Commissioner for Patents
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Pursuant to 37 C.F.R. §41.37, Applicant hereby submits an appeal brief for application 09/817,801, filed March 26, 2001. Accordingly, Applicant appeals to the Board of Patent Appeals and Interferences seeking review of the Examiner's rejections.

Appeal Brief Items   Page

(1) Real Party in Interest

The real party in interest is Microsoft Corporation, the assignee of all right, title and interest in and to the subject invention.

(2) Related Appeals and Interferences

Appellant is not aware of any other appeals, interferences, or judicial proceedings which will directly affect, be directly affected by, or otherwise have a bearing on the Board's decision to this pending appeal.

(3) Status of Claims

Claims 1-16, 18-22, 24-39, and 41-65 stand rejected and are pending in the Application. Claims 1-16, 18-22, 24-39, and 41-65 are set forth in the Appendix of Appealed Claims on Page 65. Claims 17, 23, 40 and 66-68 have been canceled without prejudice.

(4) Status of Amendments

The most recent Final Office Action was mailed October 23, 2006. No amendments were made thereafter.

(5) Summary of Claimed Subject Matter

A concise explanation of each of the independent claims is included in this Summary section, including specific reference characters, if any. These specific reference characters are examples of particular elements of the drawings for

certain embodiments of the claimed subject matter and the claims are not limited to solely the elements corresponding to these reference characters.

With regard to claim 1, a method of providing a user experience when playing media on a media player comprising downloading a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated (Figs. 5 and 12 (1206), Page 9, lines 1-25, Page 23, line 24 through Page 24, line 11); playing the media content with a media player (Fig. 12 (1216), Page 24, line 25); and automatically displaying the user interface when the media content is played with the media player (Figs. 4 and 12 (1206), Page 7, lines 12-24, Page 10, lines 17-23, Page 5, lines 6-12).

With regard to claim 8, one or more computer-readable media having computer readable instructions thereon which, when executed by a computer, cause the computer to download a file that contains at least one media-specific file configured to provide a user interface, and song files with which the user interface is associated (Figs. 5 and 12 (1206), Page 9, lines 1-25, Page 23, line 24 through Page 24, line 11); play the song files with a media player (Fig. 12 (1216), Page 24, line 25); and automatically display the user interface when the song files are played with the media player (Figs. 4 and 12 (1206), Page 7, lines 12-24, Page 10, lines 17-23, Page 5, lines 6-12).

With regard to claim 9, a media player comprising software code that is configured to download a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated (Figs. 5 and 12 (1206), Page 9, lines 1-25, Page 23, line 24

through Page 24, line 11); play the media content (Fig. 12 (1216), Page 24, lines 25); and automatically display the user interface on at least a portion of a media player user interface when the media content is played with the media player (Figs. 4 and 12 (1206), Page 7, lines 12-24, Page 10, lines 17-23, Page 5, lines 6-12).

With regard to claim 12, a method of organizing media content (Page 14, line 18 through Page 15, line 18) comprising providing at least one media-specific file that is configured to provide a user interface on at least a portion of a media player (Fig. 7 (700), Fig. 10 (1000) Page 14, line 22 through Page 15, line 6, Page 21, lines 19-23); providing at least one media content file configured for play on the media player (Fig. 10 (1002) Page 21, lines 24-25); and associating the one media-specific file with the one media content file such that any time the one media content file is played on the media player, the one media-specific file is processed to automatically display the user interface on at least a portion of the media player (Fig. 10 (1008) Page 22, lines 5-8, Page 24, line 25 through Page 25, line 5) wherein said associating comprises packaging the one media-specific file and the one media content file in a single downloadable file (Fig. 5 (500), Fig. 9 (900), Page 21, lines 4-8).

With regard to claim 19, a method of organizing media content comprising: providing at least one media-specific file that is configured to provide a media player user interface (Fig. 7 (700), Fig. 10 (1000) Page 14, line 22 through Page 15, line 6, Page 21, lines 19-23); providing at least one media content file configured for play on a media player (Fig. 10 (1002) Page 21, lines 24-25); and associating the one media-specific file with the one media content file such that

any time the one media content file is played on the media player, the one media-specific file is processed to automatically display the media player user interface (Fig. 10 (1008) Page 22, lines 5-8, Page 24, line 25 through Page 25, line 5), wherein said associating comprises packaging the one media-specific file and the one media content file in a single downloadable file (Fig. 5 (500), Fig. 9 (900), Page 21, lines 4-8).

With regard to claim 25, a method of organizing content for a user experience comprising: providing multiple different files that define different aspects of a media player user interface, at least some files being associated with media content and at least some other files being associated with visual content (Fig. 5 (500), Fig. 7 (700), Page 9, lines 1-25, Page 14, line 22 through Page 15, line 6); and organizing the files for sending over a network to a client computer, said organizing using a hierarchical tag-based structure to establish a relationship between the files such that when the media content is played by a media player (Fig. 7 (702), Page 15, lines 6-18), the visual content is automatically displayed as at least part of the media player user interface (Fig. 7 (704), Fig. 10 (1008), Page 15, lines 6-18, Page 22, lines 5-8, Page 24, line 25 through Page 25, line 5).

With regard to claim 28, a method of accessing media content comprising: displaying a link to media content (Fig. 12 (1200), Page 22, lines 13-15, Page 23, lines 10-12); responsive to a user clicking on the link, automatically downloading a file that contains at least one media content file and at least one file that is configured to provide at least a portion of a media player user interface that is specific to media content associated with the one media content file (Page 22, line 11 through Page 23, line 20 through Page 24, line 4); playing the media content on

a media player (Fig. 12 (1216), Page 23, lines 2-4, Page 24, lines 7-8 and line 25); and responsive to said playing, automatically displaying said portion of the media player user interface (Figs. 4 and 12 (1206), Page 7, lines 12-24, Page 10, lines 17-23, Page 5, lines 6-12).

With regard to claim 31, one or more computer-readable media having computer readable instructions thereon which, when executed by a computer, cause the computer to: display a link to media content; responsive to a user clicking on the link (Fig. 12 (1200), Page 22, lines 13-15, Page 23, lines 10-12), automatically download a file that contains at least one media content file and at least one file that is configured to provide at least a portion of a media player user interface that is specific to media content associated with the one media content file (Page 22, line 11 through Page 23, line 20 through Page 24, line 4); play the media content on a media player (Fig. 12 (1216), Page 23, lines 2-4, Page 24, lines 7-8 and line 25); and responsive to playing the media content, automatically display said portion of the media player user interface (Figs. 4 and 12 (1206), Page 7, lines 12-24, Page 10, lines 17-23, Page 5, lines 6-12).

With regard to claim 32, a media delivery mechanism comprising: a single file (Fig. 5 (500), Page 9 lines 1-2, Page 21, lines 4-8) comprising: one or more media content files associated with content that can be played on a media player (Fig 5. (506), Page 9, lines 17-25); one or more content-specific files that can be processed to provide a content-specific user interface associated with content that is played on the media player (Fig 5. (502), Page 9, lines 1-11); and a relationship between the one or more media content files and the one or more content-specific files such that a content-specific user interface is displayed on a computer when

the content associated with the one or more media content files is played on the media player (Fig 5. (506), Page 9, lines 12-16, Page 12, lines 12-21).

With regard to claim 39, a method of providing a media delivery mechanism comprising: providing one or more media-specific files, the files being configured to provide at least a portion of a media player user interface, said portion being associated with specific media that can be played on a media player (Page 22, line 11 through Page 23, line 20 through Page 24, line 4); providing one or more media content files associated with media that can be played on a media player embodying the media player user interface, said media content files comprising the specific media with which the media player user interface portion is associated (Fig 5. (506), Page 9, lines 17-25); and defining one or more metafiles that associate the one or more media-specific files with the one or more media content files, the one or more metafiles being configured for processing such that when the media player plays media associated with a media content file, the media player automatically renders the media player user interface portion (Fig 5. (506), Page 9, lines 12-16, Page 12, lines 12-21); associating the one or more media-specific files, the one or more media content files, and the one or more metafiles in a single downloadable file (Fig. 5 (500), Page 9 lines 1-2, Page 21, lines 4-8).

With regard to claim 45, a method of providing media content over a network comprising: receiving input requesting that a file be sent to a client computer (Page 22, line 11 through Page 23, line 4), the file (Fig. 5 (500), Page 9 lines 1-2, Page 21, lines 4-8) comprising: one or more media content files associated with content that can be played on a media player on the client

computer (Fig 5. (506), Page 9, lines 17-25), one or more media-specific files that can be processed to provide a content-specific user interface (Page 22, line 11 through Page 23, line 20 through Page 24, line 4), and one or more metafiles that establish a relationship between the one or more media content files and the one or more media specific files such that a content-specific user interface is displayed when the content is played on the media player (Fig 5. (506), Page 9, lines 12-16, Page 12, lines 12-21); and sending the requested file to the client computer (Page 22, line 11 through Page 23, line 4).

With regard to claim 50, a server computer (Fig. 1 (104), Fig. 2 (104), Page 4, line 19) comprising: at least one computer-readable media (Page 5, lines 21-23); and computer-readable instructions resident on the computer-readable media which, when executed by the server, cause the server to (Page 5, lines 21-23): maintain multiple files, each file (Page 22, line 11 through Page 23, line 4) comprising: one or more media content files associated with content that can be played on a media player on the client computer (Fig 5. (506), Page 9, lines 17-25), one or more media-specific files that can be processed to provide a content-specific user interface (Page 22, line 11 through Page 23, line 20 through Page 24, line 4), and one or more metafiles that establish a relationship between the one or more media content files and the one or more media specific files such that a content-specific user interface is displayed when the content is played on the media player (Fig 5. (506), Page 9, lines 12-16, Page 12, lines 12-21); receive input requesting that one or more of the multiple files be sent to a client computer (Page 22, line 11 through Page 23, line 4), the file (Fig. 5 (500), Page 9 lines 1-2,

Page 21, lines 4-8); and send the one or more requested files to the client computer (Page 22, line 11 through Page 23, line 4).

With regard to claim 51, a method for playing media content on a media player comprising: receiving a file with a client computer (Fig. 12 (1206), Page 22, line 11 through Page 23, line 5), the file comprising: one or more media content files associated with content that can be rendered on a media player on the client computer (Fig 5. (506), Page 9, lines 17-25), at least one media-specific file that can be processed to provide a content-specific user interface (Page 22, line 11 through Page 23, line 20 through Page 24, line 4), and at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player (Fig 5. (506), Page 9, lines 12-16, Page 12, lines 12-21); playing content associated with the content files on the media player embodied on the client computer (Fig. 12 (1216), Page 23, lines 2-4, Page 24, lines 7-8 and line 25); and while playing the content on the media player, displaying the content-specific user interface (Figs. 4 and 12 (1222), Page 7, lines 12-24, Page 10, lines 17-23, Page 24, lines 7-11).

With regard to claim 55, a media player comprising software code (page 23, lines 6-9) that is configured to: receive a file with a client computer (Fig. 12 (1206), Page 22, line 11 through Page 23, line 5), the file (Page 22, line 11 through Page 23, line 4) comprising: one or more media content files associated with content that can be rendered on the media player (Fig 5. (506), Page 9, lines 17-25), at least one media-specific file that can be processed to provide a content-specific user interface (Page 22, line 11 through Page 23, line 20 through Page 24,

line 4), and at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player; play content associated with the content files (Fig 5. (506), Page 9, lines 12-16, Page 12, lines 12-21); and while playing the content, display the content-specific user interface (Figs. 4 and 12 (1222), Page 7, lines 12-24, Page 10, lines 17-23, Page 24, lines 7-11).

With regard to claim 56, a method for processing media content comprising: receiving a file with a client computer (Fig. 12 (1206), Page 22, line 11 through Page 23, line 5), the file comprising: one or more media content files associated with content that can be rendered on a media player on the client computer (Fig 5. (506), Page 9, lines 17-25), at least one media-specific file that can be processed to provide a content-specific user interface (Page 22, line 11 through Page 23, line 20 through Page 24, line 4), and at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player (Fig 5. (506), Page 9, lines 12-16, Page 12, lines 12-21); and automatically organizing the received files in one or more directories on a client computer hard drive without any intervention from a user (Fig. 7 (702), Page 8, lines 1-9, Page 15, lines 6-18), the files being organized in a manner that permits audio and visual content to be played on a media player without any intervention from the user (Fig. 7 (702), Page 8, lines 1-9, Page 15, lines 6-18).

With regard to claim 61, a media player comprising software code (page 23, lines 6-9) configured to cause the media player to: receive a file (Fig. 12 (1206), Page 22, line 11 through Page 23, line 5), the file comprising: one or more media content files associated with content that can be rendered on the media player (Fig 5. (506), Page 9, lines 17-25), at least one media-specific file that can be processed to provide a content-specific user interface (Page 22, line 11 through Page 23, line 20 through Page 24, line 4), and at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player (Fig 5. (506), Page 9, lines 12-16, Page 12, lines 12-21); and automatically organize the received files in one or more directories on a client computer hard drive without any intervention from a user (Fig. 7 (702), Page 8, lines 1-9, Page 15, lines 6-18), the files being organized in a manner that permits audio and visual content to be played on the media player without any intervention from the user (Fig. 7 (702), Page 8, lines 1-9, Page 15, lines 6-18).

With regard to claim 63, a method of playing media content comprising: receiving a file with a client computer (Fig. 12 (1206), Page 22, line 11 through Page 23, line 5), the file comprising: one or more media content files associated with content that can be played on a media player on the client computer (Fig 5. (506), Page 9, lines 17-25), at least one media-specific file that can be processed to provide a content-specific user interface (Page 22, line 11 through Page 23, line 20 through Page 24, line 4), and at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-

specific user interface is provided when the content associated with the content files is played on the media player (Fig 5. (506), Page 9, lines 12-16, Page 12, lines 12-21); and automatically playing content associated with the one or more media content files using a media player embodied on the client computer (Fig. 12 (1216), Page 23, lines 2-4, Page 24, lines 7-8 and line 25); and while playing said content, automatically displaying the content-specific user interface (Figs. 4 and 12 (1222), Page 7, lines 12-24, Page 10, lines 17-23, Page 24, lines 7-11).

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(6)   Grounds of Rejection to be Reviewed on Appeal

Claims 1-4, 8-10, 12, 15, 16, 18, 19, 21, 22, 24-26, 28-33, 35-39, 42, 44-47 and 49-65 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,248,946 to Dwek (hereinafter "Dwek") in view of U.S. Patent No. 6,223,224 to Bodin et al. (hereinafter "Bodin") and U.S. Patent No. 6,760,721 to Chasen et al. (hereinafter "Chasen").

Claims 5, 6, 14, 20, 27, 34, 43 and 48 stand rejected under 35 U.S.C. §103(a) over Dwek in view of Bodin, Chasen and U.S. Patent No. 6,496,802 to Van Zoest et al. (hereinafter "Van Zoest").

Claims 7, 11, 13 and 41 stand rejected under 35 U.S.C. §103(a) over Dwek in view of Bodin, Chasen and U.S. Patent No. 6,330,670 to England et al. (hereinafter "England").

(7)   Argument

The rejections under 35 U.S.C. §103(a) over Tso fail because the Office has failed to establish a *prima facie* case of obviousness.

Applicant respectfully submits that the Office has not established a *prima facie* case of obviousness. The discussion below proceeds as follows. First, a section entitled "The § 103 Standard" is provided which describes the criteria that must be met in order to establish a *prima facie* case of obviousness. Second, a section entitled "The Claims" is provided which presents Applicant's reasoning as to why the Office has not met these criteria.

The §103 Standard

In making out a §103 rejection, the Federal Circuit has stated that when one or more reference or source of prior art is required in establishing obviousness, "it is necessary to ascertain whether the prior art teachings would appear to be sufficient to one of ordinary skill in the art to suggest making the claimed substitutions or other modification." In re Fine, 5 USPQ 2d, 1596, 1598 (Fed. Cir. 1988). That is, to make out a prima facie case of obviousness, the references must be examined to ascertain whether the combined teachings render the claimed subject matter obvious. In re Wood, 202 USPQ 171, 174 (C.C.P.A. 1979).

Moreover, there is a requirement that there must be some reason, suggestion, or motivation from the prior art, as a whole, for the person of ordinary skill to have combined or modified the references. See, In re Geiger, 2 USPQ 2d 1276, 1278 (Fed. Cir. 1987). It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. One cannot use hindsight

reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. In re Fritch, 23 USPQ 2d 1780, 1784 (Fed. Cir. 1992).

A factor cutting against a finding of motivation to combine or modify the prior art is when the prior art teaches away from the claimed combination. A reference is said to teach away when a person of ordinary skill, upon reading the reference, would be led in a direction divergent from the path that the applicant took. In re Gurley, 31 USPQ 2d 1130, 1131 (Fed. Cir 1994).

In order for a prima facie case of obviousness to be made, the resulting combination or motivation must appear to show or suggest the claimed invention. In re Nielson, 2 USPQ 2d1525, 1528 (Fed. Cir. 1987).

In addition to the standard discussed above, the Office has provided a paper, available at the following link:

http://www.uspto.gov/web/menu/busmethp/busmeth103rej.htm

that describes proper and improper rejections made under §103(a). Particularly instructive is Example 17 that appears in Section V of the paper illustrating an improper §103(a) rejection which is based upon a proposed motivation that is simply too general and lacking in particularity. This example is reproduced below in its entirety for the Office's convenience:

V. Examples of Improper Rejection under 35 U.S.C. 103

Example 17: Improper rejection based upon hindsight - general motivation statement.

a. The claimed invention

The invention is drawn to a smart card containing a tracking mechanism, which tracks shopping preferences of consumers by recording the type, quantity, and dates of purchase for a pre-selected group of products. The smart card is useful in a system and method for introducing new and alternative products that are of the same type as products normally purchased by the shopper. The smart card records the shopper's purchases and submits an automatic notification to the shopper when a quantity threshold is achieved for the pre-selected products. This notification will encourage the consumer to consider alternative products by providing the consumer incentives, such as a pricing discount, to purchase an alternative product.

Claim 1:

A method for using a smart card in a marketing analysis program designed to introduce new products, the method comprising the steps of:

storing product information on the smart card when said products are purchased by a consumer wherein said information including type, quantity and dates of the product purchased;

identifying for each product a threshold for each of said type, quantity and dates of products purchased;

determining an incentive for an alternative product based on said threshold; and

automatically notifying said consumer when said threshold is reached for a given product identified on the smart card and providing the consumer with said incentive, whereby the incentive encourages the consumer to consider alternative products.

b. Evidence

Reference A discloses smart card that tracks consumer preferences by recording the type, quantity, and dates of purchase of pre-selected products to determine trends in consumer purchases. The smart card is periodically read by a scanner to determine its contents for market analysis. In return for using the smart card and participating in the marketing program, the user is

provided with free product coupons for products that are normally purchased by the shopper.

Reference B discloses a traditional consumer incentive program that provides coupons for the purchase of named products based upon the consumer's purchase of those same products to promote customer loyalty.

c. Poor statement of the rejection

Claim 1 is rejected under 35 U.S.C. 103 as being unpatentable over Reference A in view of Reference B. Reference A discloses the conventional use of a smart card to track consumer preferences and provide incentives. However, Reference A does not disclose the automatic notification to consumer providing incentives. Reference B discloses providing incentives to consumers to purchase the desired products. *It would have been obvious to combine Reference A's smart card with Reference B's incentive to consumers because the combination would allow Reference A's smart card to be more efficient.*

d. Analysis

The motivation, improve efficiency, is too general because it could cover almost any alteration contemplated of Reference A and does not address why this specific proposed modification would have been obvious. Additionally, there is nothing in either of references that would suggest automatically notifying the consumer when reaching a threshold nor is there anything in either reference that would suggest the notifying step. Finally, although Reference B teaches a traditional coupon scheme to promote customer loyalty, there is no suggestion, other than applicant's disclosure, to employ this scheme to promote the introduction of new and alternative products. **The rejection is improper.**

The Claims

Claims rejected over Dwek in view of Bodin and Chasen

<u>Claim 1</u> recites a method of providing a user experience when playing media on a media player comprising:

- downloading a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated;
- playing the media content with a media player; and
- automatically displaying the user interface when the media content is played with the media player.

In making out the rejection of this claim, the Office argues that Dwek discloses "downloading", "playing" and "automatically displaying" as claimed. Specifically, with respect to downloading, the Office argues that Column 15 (lines 5-8 and 14-18) and Columns 11 (line 66) through 12 (line 4) of Dwek disclose "downloading a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated". The Office then argues Chasen discloses "wherein the capability to manipulate media specific file" and Bodin discloses "the capability to combine multi media specific files into a single downloadable file to a user system". Specifically, with respect to "into a single downloadable file ", the Office points to Column 2 (lines 22-36 and 31-39) of Bodin. The Office argues it would have been obvious to combine Dwek with Chasen "in order to optimize and efficiently manage media associated metadata information utilized by a media player". The Office then argues it would have been obvious to combine Dwek and Chased with Bodin "in order to optimize download delivery times for the transfer of files between networked systems".

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, Applicant respectfully submits that the cited excerpts from Dwek (from Columns 11, 12 and 15) simply fail to disclose or suggest, or even be relevant to "downloading *a file*

that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated". (emphasis added). Instead, the excerpts from Column 15 merely describe characteristics of information that a user may view through panes visible on a music player on the user's computer, while the excerpt from Columns 11-12 merely describes a means by which a user can change the appearance of a music player. These excerpts are reproduced below for the Office's convenience:

> ...when they subscribe to the online music delivery service. In a preferred embodiment, the advertisements may include tie-ins to particular music selections being played by the music player 120. These may include concert tickets, albums, T-shirts, or other items associated with a particular artist whose music selection is being played.

> The information pane 520 preferably includes information about a music selection currently being delivered to the user's computer via the online music delivery system 100. The information may include a song title, an artist name, a CD or album title, etc.

> The features pane 320e preferably includes a "skins" button to allow a user to create, or select a precreated, "skin" or custom appearance template for the user interface 250 of the music player 120. By changing skins, a user can customize the size, shape, color, or other appearance features of the panes, handles, and buttons of the user interface 250.

Furthermore, Applicant respectfully submits that Dwek in general fails to disclose or suggest "*a file* that contains at least one media-specific file configured to provide a user interface, *and* media content with which the user interface is associated". (emphasis added). Instead, Dwek contemplates individual separate and complete song files - which *teach away* from this because a person of ordinary

skill reading the Dwek would be led in a direction divergent from providing "a file" as claimed.

Second, Applicant is unable to determine the relevance of the Office's statement that Chasen discloses "the capability to manipulate [a] media specific file". Unfortunately, the Office has not provided any further explanation in this regard.

Third, applicant respectfully submits that Bodin neither discloses nor suggests "a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated". Instead, in so far as Bodin describes "a client/server system capable of downloading multiple separate files on a server to a client machine", it teaches away from such a file because a person of ordinary skill reading the reference would be led in a direction divergent from providing "a file" as claimed. Specifically, in Bodin "[t]he server streams data dynamically to the client *without creating a physical file* on the server machine." (see Column 3 (lines 7-18) of Bodin). (emphasis added). In this regard, Applicant directs the Office's attention to Figs. 2 and 3 of Bodin which show "a display screen where the user selects *the files* resident on the server machine which will be downloaded to the client" and "a display screen showing *files* selected by a user", respectively. (emphasis added).

Fourth, the Office's stated motivation "to optimize", like the motivation "to improve efficiency" (provided in the Office's own example above), is too general because it could cover almost any alteration contemplated of Dwek and does not address *why* this specific proposed modification would have been obvious.

Furthermore, this stated motivation is not relevant because implementing the multiple separate file downloading system of Bodin would not "optimize download delivery times for the transfer of files between networked systems" in Dwek. Specifically, Dwek provides a media player with a user interface that facilitates the delivery of multimedia content to a user over a network. (see Abstract of Dwek). In Dwek, a user only has to highlight a selected music item and press play once to have the selection immediately streamed across the internet to be decompressed (on-the-fly) and played by the media player. (See Column 6 of Dwek). In contrast, the system of Bodin is directed to alleviating a user from the burden of having to initiate several download sessions when downloading multiple associated files over the internet. (See Column 1 of Bodin). Accordingly, modifying Dwek with Bodin would not optimize delivery times because a user in Dwek does not have to initiate several download sessions to play a music selection. Instead, such a modification would only interfere with the facilitative functions of Dwek's user interface.

Finally, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose. (see MPEP 2143.01). Specifically, Bodin instructs that in order to download a selected file along with the appropriate related files, "a user has to initiate several separate download sessions. (Column 2 (lines 20-43) of Bodin). In each of these sessions, "the user must specify which objects/files must be obtained and where the files are to be stored on a client machine." (Id.). Thus, in Bodin, the onus is on the user to select the files. Modifying Dwek as suggested by the Office would require the user to, for example, select the advertisements that they wish to

see and specify where the associated advertising files are to be stored. Doing so, however, creates some problems. For example, the user would be greatly burdened by this additional work required to view the advertisements. In addition, Dwek does not contemplate the user selecting advertisements at all. In fact, it does not make sense to have the user select advertisements. Rather, Dwek teaches directly away from such notion by specifically instructing that advertisements come from advertisers and that "[t]here is no user control provided in the user interface for a user to minimize or hide the player toolbar on the computer display screen" (Column 16 (lines 2-5) of Dwek). Moreover, giving the user the ability to select advertisements could conceivably lead to a situation in which the user selects no advertisements. This is directly contrary to one of the main purposes of Dwek – which is to remove the user's ability to avoid displayed advertisements. (e.g., see Column 3 (lines 15-27 and 50-57) of Dwek).

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims 2-4 depend from claim 1 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 1, are neither disclosed nor suggested by the references of record.

In addition, regarding claim 4, Applicant respectfully submits that the Office has mischaracterized Column 8 (lines 34-40) of Dwek, which neither discloses nor suggests "wherein said at least one media-specific file comprises multiple files including a definition file that defines how other associated files are

to be used, and art files containing images that are associated with the user interface." Instead, this excerpt merely describes a display sub-pane and dialog box on a music player on the user's computer. This excerpt is reproduced below for the Office's convenience:

> If the user highlights a music selection in the database display subpane 354 and selects the info button 356, then a dialog box appears on the computer display screen providing more information about the highlighted item. For example, if the highlighted item is a song title, the dialog box may reveal the song length, the year it was recorded, and/or other information of interest.

Claim 8 recites one or more computer-readable media having computer readable instructions thereon which, when executed by a computer, cause the computer to:

- download a file that contains at least one media-specific file configured to provide a user interface, and song files with which the user interface is associated;
- play the song files with a media player; and
- automatically display the user interface when the song files are played with the media player.

In making out the rejection of this claim, the Office relies on the same argument it made in ejecting claim 1.

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a prima facie case of obviousness. First, as noted above, the cited excerpts in Dwek simply fail to disclose or suggest, or even be relevant to "download *a file* that contains at least one media-specific file configured to

provide a user interface, and song files with which the user interface is associated". (emphasis added). Instead, the excerpts from Column 15 merely describe characteristics of information that a user may view through panes visible on a music player on the user's computer, while the excerpt from Columns 11-12 merely describes a means by which a user can change the appearance of music player. Furthermore, Applicant respectfully submits that Dwek in general teaches away from "a file" as claimed by contemplating individual separate and complete song files.

Second, Applicant is unable to determine the relevance of the Office's argument the Office's that Chasen discloses "wherein the capability to manipulate media specific file".

Third, applicant respectfully submits that Bodin neither discloses nor suggests "a file that contains at least one media-specific file configured to provide a user interface, and song files with which the user interface is associated". Instead, as noted above, in so far as Bodin describes "a client/server system capable of downloading multiple separate files on a server to a client machine", it teaches away from such a file.

Fourth, as explained above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency" (provided in the Office's own example above), is too general because it could cover almost any alteration contemplated of Dwek. Furthermore, this stated motivation is not relevant because implementing the multiple separate file downloading system of Bodin would not "optimize download delivery times for the transfer of files between networked systems" in Dwek because a user in Dwek does not have to initiate several download sessions

to play a music selection. Instead, such a modification would only interfere with the facilitative functions of Dwek's user interface.

Finally, also as explained above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 9 recites a media player comprising software code that is configured to:

- download a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated;
- play the media content; and
- automatically display the user interface on at least a portion of a media player user interface when the media content is played with the media player.

In making out the rejection of this claim, the Office relies on the same argument it made in ejecting claim 1.

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, as noted above, the cited excerpts in Dwek simply fail to disclose, suggest or even be relevant to "download *a file* that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated". (emphasis added). Instead, the excerpts from Column 15 merely describe characteristics of information that a user may view through panes visible

on a music player on the user's computer, while the excerpt from Columns 11-12 merely describe a means by which a user can change the appearance of music player. Furthermore, Applicant respectfully submits that Dwek in general teaches away from "a file" as claimed by contemplating individual separate and complete song files.

Second, Applicant is unable to determine the relevance of the Office's argument the Office's that Chasen discloses "wherein the capability to manipulate media specific file".

Third, applicant respectfully submits that Bodin neither discloses nor suggests "*a file* that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated". (emphasis added). Instead, as noted above, in so far as Bodin describes "a client/server system capable of downloading *multiple separate files* on a server to a client machine", it teaches away from such a file. (emphasis added).

Fourth, as explained above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency" (provided in the Office's own example above), is too general because it could cover almost any alteration contemplated of Dwek. Furthermore, this stated motivation is not relevant because implementing the multiple separate file downloading system of Bodin would not "optimize download delivery times for the transfer of files between networked systems" in Dwek because a user in Dwek does not have to initiate several download sessions to play a music selection. Instead, such a modification would only interfere with the facilitative functions of Dwek's user interface.

Finally, also as explained above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 10 depends from claim 9 and is allowable as depending from an allowable base claim. This claim is also allowable for its own recited features which, in combination with those recited in claim 10, are neither disclosed nor suggested by the references of record.

Claim 12 recites a method of organizing media content comprising:

- providing at least one media-specific file that is configured to provide a user interface on at least a portion of a media player;
- providing at least one media content file configured for play on the media player; and
- associating the one media-specific file with the one media content file such that any time the one media content file is played on the media player, the one media-specific file is processed to automatically display the user interface on at least a portion of the media player,
- wherein said associating comprises packaging the one media-specific file and the one media content file in a single downloadable file.

In making out the rejection of this claim, the Office argues that Column 15 (lines 5-8 and 14-18) and Columns 11 (line 66) through 12 (line 4) of Dwek disclose "providing at least one media-specific file that is configured to provide a user interface on at least a portion of a media player". Next, the Office argues that

Columns 11 (line 66) through 12 (line 4) of Dwek disclose "associating the one media-specific file with the one media content file". The Office then argues that Chasen discloses "wherein the capability to manipulate media specific file" and Bodin discloses "the capability to combine multi media specific files into a single downloadable file to a user system". The Office then argues it would have been obvious to combine Dwek with Bodin "in order to optimize download delivery times for the transfer of files between networked systems".

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, Applicant respectfully submits that the Office has mischaracterized Columns 11, 12 and 15 of Dwek. Specifically, the cited excerpt from Columns 11 and 12 simply does not disclose "one media-specific file that is configured to provide a user interface" or "associating the one media-specific file with the one media content file such that any time the one media content file is played on the media player, the one media-specific file is processed to automatically display the user interface on at least a portion of the media player". Instead, this excerpt merely indicates that a features pane on a user interface for a music player has a button that allows a user to create a custom appearance template for the interface. This excerpt is reproduced below for the Office's convenience:

> The features pane 320e preferably includes a "skins" button to allow a user to create, or select a precreated, "skin" or custom appearance template for the user interface 250 of the music player 120. By changing skins, a user can customize the size, shape, color, or other appearance features of the panes, handles, and buttons of the user interface 250.

In addition, the cited excerpts from Column 15 merely indicate that the advertisement pane may display advertisements which include "tie-ins to particular music selections" and the information pane may include "information about a music selection currently being delivered to the user's computer". Missing is any discussion of "one media-specific file that is configured to provide a user interface", as claimed.

Second, the Office has mischaracterized Bodin, which neither discloses nor suggests "packaging the one media-specific file and the one media content file in a *single downloadable file*". (emphasis added). Instead, as noted above, Bodin actually teaches away from this by disclosing "a client/server system capable of downloading multiple separate files on a server to a client machine.

Third, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims 15, 16 and 18 depend from claim 12 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 12, are neither disclosed nor suggested by the references of record.

In addition, regarding claim 16, Applicant respectfully submits that the Office has mischaracterized Column 4 (lines 26-30) and Column 7 (lines 17-20) of Dwek, which neither discloses nor suggests "wherein the one media content file comprises multiple song files". Instead, the excerpt from Column 4 refers to an on-line music library while the excerpt from Column 7 indicates that a user can select a list of songs to play on a player. These excerpts are reproduced below for the Office's convenience:

The online music library 110 preferably consists of a client interface server 112, an online music database 114 of available songs or music selections, a plurality of song file servers 116 and a plurality of translation/streaming servers 118.

That is, a listener or user is provided the total flexibility to select a list of any songs, or entire compact disc recordings, from the music database to be played in any order as desired by the listener.

Claim 19 recites a method of organizing media content comprising:

- providing at least one media-specific file that is configured to provide a media player user interface;
- providing at least one media content file configured for play on a media player; and
- associating the one media-specific file with the one media content file such that any time the one media content file is played on the media player, the one media-specific file is processed to automatically display the media player user interface,

- wherein said associating comprises packaging the one media-specific file and the one media content file in a single downloadable file.

In making out the rejection of this claim, the Office argues that Column 15 (lines 5-8 and 14-18) and Columns 11 (line 66) through 12 (line 4) of Dwek disclose "providing at least one media-specific file that is configured to provide a media player user interface" and "associating the one media-specific file with the one media content file". The Office then argues Chasen discloses "wherein the capability to manipulate media specific file" and Bodin discloses "the capability to combine multiple media specific files into a single downloadable file to a user system". The Office then argues it would have been obvious to combine Dwek with Bodin "in order to optimize download delivery times for the transfer of files between networked systems".

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, Applicant respectfully submits that the Office has mischaracterized Columns 11, 12 and 15 of Dwek. Specifically, as noted above, the cited excerpts from Columns 11, 12 and 15 simply do not disclose *"one media-specific file that is configured to provide a media player user interface"* or *"associating* the one media-specific file with the one media content file", as claimed. (emphasis added).

Second, as discussed above, the Office has mischaracterized Bodin, which actually teaches directly away from "packaging the one media-specific file and the one media content file in a *single downloadable file"*, as claimed. (emphasis added).

Third, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims 21, 22 and 24 depend from claim 19 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 19, are neither disclosed nor suggested by the references of record.

In addition, regarding claim 22, Applicant respectfully submits that the Office has mischaracterized Column 4 (lines 26-30) and Column 7 (lines 17-20) of Dwek, which neither discloses nor suggests "wherein the one media content file comprises multiple song files". Instead, and as noted above, the excerpt from Column 4 refers to an on-line music library while the excerpt from Column 7 indicates that a user can select a list of songs to play on a player.

<u>Claim 25</u> recites method of organizing content for a user experience comprising:

- providing multiple different files that define different aspects of a media player user interface, at least some files being associated with media content and at least some other files being associated with visual content; and
- organizing the files for sending over a network to a client computer, said organizing using a hierarchical tag-based structure to establish a relationship between the files such that when the media content is played by a media player, the visual content is automatically displayed as at least part of the media player user interface.

In making out the rejection of this claim, the Office argues that Column 2 (lines 23-26 and 31-39) of Bodin discloses "providing multiple different files that define different aspects of a media player user interface" and "organizing using a hierarchical tag-based structure to establish a relationship between the files". The Office next argues that it would have been obvious to modify Dwek "to enable the download of multiple files within a single download event as taught by Bodin". The Office states that it would have been obvious to combine Dwek with Bodin "in order to optimize download delivery times for the transfer of files between networked systems".

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, Applicant respectfully submits that the Office has mischaracterized these excerpts from Bodin which neither discloses not suggests "providing multiple *different files* that define different aspects of a media player *user interface*" or a "*hierarchical tag-based structure*" to accomplish an organizing act as recited in this claim.

(emphasis added). In fact, these excerpts fail to even mention the terms "user interface" or "hierarchical tag-based structure". The Office has apparently taken a fanciful interpretation of these excerpts. The Office is not free to ascribe properties to Bodin that it simply does not appear to have.

Second, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a prima facie case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 26 depends from claim 25 and is allowable as depending from an allowable base claim. This claim is also allowable for its own recited features which, in combination with those recited in claim 25, are neither disclosed nor suggested by the references of record.

Claim 28 recites a method of accessing media content comprising:

- displaying a link to media content;
- responsive to a user clicking on the link, automatically downloading a file that contains at least one media content file and at least one file that is configured to provide at least a portion of a media player user

interface that is specific to media content associated with the one media content file;

- playing the media content on a media player; and
- responsive to said playing, automatically displaying said portion of the media player user interface.

In making out the rejection of this claim, the Office argues that Dwek discloses "displaying", "automatically downloading", "playing" and "automatically displaying". The Office then argues Chasen discloses "wherein the capability to manipulate media specific file" and Bodin discloses "the capability to combine multi media specific files into a single downloadable file to a user system". The Office argues it would have been obvious to combine Dwek with Bodin "in order to optimize download delivery times for the transfer of files between networked systems".

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, as discussed above, neither Dwek nor Bodin disclose or suggest "*a file* that contains at least one media content file and at least one file that is configured to provide at least a portion of a media player user interface that is specific to media content associated with the one media content file". (emphasis added). Instead, Dwek teaches away from this by contemplating separate and complete song files. Similarly, Bodin teaches directly away from this by disclosing "a client/server system capable of downloading multiple separate files on a server to a client machine.

Second, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this

specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims 29 and 30 depend from claim 28 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 28, are neither disclosed nor suggested by the references of record.

In addition, regarding claim 30, Applicant respectfully submits that the Office has mischaracterized Column 5 (line 63) through Column 6 (line 6) and Column 12 (lines 40-53) of Dwek, which neither disclose nor suggest "automatically flipping from a non-media player user interface to a media player user interface". Instead, Columns 5 and 6 merely explain that a user interface pane can be displayed or hidden in response to a user "clicking" a handle. Furthermore, Column 12 merely describes a pane management process by which a user can resize, open and close a user interface.

Claim 31 recites one or more computer-readable media having computer readable instructions thereon which, when executed by a computer, cause the computer to:

- display a link to media content;
- responsive to a user clicking on the link, automatically download a file that contains at least one media content file and at least one file that is configured to provide at least a portion of a media player user interface that is specific to media content associated with the one media content file;
- play the media content on a media player; and
- responsive to playing the media content, automatically display said portion of the media player user interface.

In making out the rejection of this claim, the Office relies on the same argument it made in ejecting claim 31.

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, as discussed above, neither Dwek nor Bodin disclose or suggest "*a file* that contains at least one media content file and at least one file that is configured to provide at least a portion of a media player user interface that is specific to media content associated with the one media content file". (emphasis added). Instead, Dwek teaches directly away from this by contemplating separate and complete. song files. Similarly, Bodin teaches directly away from this by disclosing "a client/server system capable of downloading multiple separate files on a server to a client machine.

Second, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover

almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 32 recites a media delivery mechanism comprising:

- a single file comprising:
    o one or more media content files associated with content that can be played on a media player;
    o one or more content-specific files that can be processed to provide a content-specific user interface associated with content that is played on the media player; and
    o a relationship between the one or more media content files and the one or more content-specific files such that a content-specific user interface is displayed on a computer when the content associated with the one or more media content files is played on the media player.

In making out the rejection of this claim, the Office argues that its subject matter is obvious in view of Dwek and Bodin. Specifically, the Office again argues that Column 15 (lines 5-8 and 14-18) and Columns 11 (line 66) through 12 (line 4) disclose all of the subject matter of this claim except for a single file. For

this feature, the Office relies on Bodin and argues that it would have been obvious to combine Dwek with Bodin to "optimize downloaded delivery times for the transfer of files between networked systems."

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a prima facie case of obviousness. First, the Office has mischaracterized Columns 11, 12 and 15 of Dwek and Bodin. Specifically, as noted above, the cited excerpts simply do not disclose *"a single file"* that comprises "one or more media content files", "one or more content-specific files" and "a relationship between the one or more media content files and the one or more content-specific files ", as claimed. (emphasis added). Instead, Dwek teaches directly away from this by contemplating separate and complete song files. Similarly, Bodin teaches directly away from "a single file", as claimed, by disclosing "a client/server system capable of downloading multiple separate files on a server to a client machine.

Second, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims 33 and 35-38 depend from claim 32 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 32, are neither disclosed nor suggested by the references of record.

In addition, regarding claim 33, Applicant respectfully submits that the Office has mischaracterized Column 8 (lines 34-40), Column 15 (lines 14-18) and Column 17 (line 64) through Column 18 (line 6) of Dwek, which neither disclose nor suggest "wherein said relationship is established by a metafile that comprises part of the single file". Instead, Column 8 merely describes a display sub-pane and dialog box on a music player on the user's computer, Column 15 merely describe characteristics of information that a user may view through panes visible on a music player on the user's computer, and Columns 17 and 18 describe that a "ticker" for scrolling song lyrics can be displayed in a pane. Missing is any reference whatsoever to a metafile that is a part of a single file.

Claim 39 recites a method of providing a media delivery mechanism comprising:

- providing one or more media-specific files, the files being configured to provide at least a portion of a media player user interface, said portion being associated with specific media that can be played on a media player;
- providing one or more media content files associated with media that can be played on a media player embodying the media player user interface, said media content files comprising the specific media with which the media player user interface portion is associated; and

- defining one or more metafiles that associate the one or more media-specific files with the one or more media content files, the one or more metafiles being configured for processing such that when the media player plays media associated with a media content file, the media player automatically renders the media player user interface portion;
- associating the one or more media-specific files, the one or more media content files, and the one or more metafiles in a single downloadable file.

In making out the rejection of this claim, the Office argues that Column 15 (lines 5-8 and 14-18) and Columns 11 (line 66) through 12 (line 4) of Dwek disclose "providing at least one media-specific file", as claimed. Next, the Office argues that Column 8 (lines 34-40) and 15 (lines 14-18) disclose "defining one or more metafiles". The Office then argues Chasen discloses "wherein the capability to manipulate media specific file" and Bodin discloses "the capability to combine multi media specific files into a single downloadable file to a user system". The Office argues it would have been obvious to combine Dwek with Bodin "in order to optimize download delivery times for the transfer of files between networked systems".

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, the Office has mischaracterized Columns 11, 12 and 15 of Dwek. Specifically, the cited excerpt from Columns 11 and 12 simply does not disclose "one or more media-specific files, the files being configured to provide at least a portion of a media player user interface", as claimed. Instead, this excerpt merely indicates that a features pane on a user interface for a music player has a button that allows a user to create a

custom appearance template for the interface. Nothing discusses "one or more media-specific files" that are configured in the manner recited in this claim.

In addition, the cited excerpts from Column 15 merely indicate that the advertisement pane may display advertisements which include "tie-ins to particular music selections" and the information pane may include "information about a music selection currently being delivered to the user's computer". Missing again, however, is any discussion of "one or more media-specific files" that are configured in the manner recited in this claim.

Second, as noted above, the Office has mischaracterized Bodin, which neither discloses nor suggests "associating the one or more media-specific files, the one or more media content files, and the one or more metafiles in *a single downloadable file*." (emphasis added). Instead, as noted above, Bodin actually teaches directly away from this by disclosing "a client/server system capable of downloading multiple separate files on a server to a client machine.

Third, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency" is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims 42 and 44 depend from claim 39 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 39, are neither disclosed nor suggested by the references of record.

In addition, regarding claim 42, Applicant respectfully submits that the Office has mischaracterized Column 2 (lines 23-26 and 31-39), which neither disclose nor suggest "uploading the single downloadable file to a Web site". Instead, these excerpts describe *downloading* multiple *separate files* on a server *to a client machine*. (emphasis added).

Claim 45 recites a method of providing media content over a network comprising:

- receiving input requesting that a file be sent to a client computer, the file comprising:
  - one or more media content files associated with content that can be played on a media player on the client computer,
  - one or more media-specific files that can be processed to provide a content-specific user interface, and
  - one or more metafiles that establish a relationship between the one or more media content files and the one or more media specific files such that a content-specific user interface is displayed when the content is played on the media player; and
- sending the requested file to the client computer.

In making out the rejection of this claim, the Office argues that Column 15 (lines 5-8 and 14-18) and Columns 11 (line 66) through 12 (line 4) of Dwek disclose "one or more media-specific files". Next, the Office argues that Columns 8 (lines 34-40) and 15 (lines 14-18) disclose "one or more metafiles". The Office then argues Chasen discloses "wherein the capability to manipulate media specific file" and Bodin discloses "the capability to combine multi media specific files into a single downloadable file to a user system". The Office then argues it would have been obvious to combine Dwek with Bodin "in order to optimize download delivery times for the transfer of files between networked systems".

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, as noted above, Applicant respectfully submits that the Office has mischaracterized these excerpts from Dwek, which do not disclose "one or more media-specific files that can be processed to provide a content-specific user interface".

Second, as noted above, Applicant also respectfully submits that the Office has mischaracterized Bodin, which neither discloses nor suggests requesting "*a file* be sent to a client computer" wherein "*the file*" comprises "one or more media content files", "one or more media-specific files" and "one or more metafiles", as claimed. (emphasis added). Instead, as noted above, Bodin actually teaches away from this by disclosing "a client/server system capable of downloading multiple separate files on a server to a client machine.

Third, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this

specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims 46, 47 and 49 depend from claim 45 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 45, are neither disclosed nor suggested by the references of record.

Claim 50 recites a server computer comprising:

- at least one computer-readable media; and
- computer-readable instructions resident on the computer-readable media which, when executed by the server, cause the server to:
  - o maintain multiple files, each file comprising:
    - one or more media content files associated with content that can be played on a media player on the client computer,
    - one or more media-specific files that can be processed to provide a content-specific user interface, and
    - one or more metafiles that establish a relationship between the one or more media content files and the one or more media specific files such that a content-specific user interface is displayed when the content is played on the media player;
  - o receive input requesting that one or more of the multiple files be sent to a client computer; and
  - o send the one or more requested files to the client computer.

In making out the rejection of this claim, the Office argues that Column 15 (lines 5-8 and 14-18) and Columns 11 (line 66) through 12 (line 4) of Dwek disclose "one or more media-specific files". Next, the Office argues that Columns 8 (lines 34-40) and 15 (lines 14-18) disclose "one or more metafiles". The Office then argues Chasen discloses "wherein the capability to manipulate media specific file" and Bodin discloses "the capability to combine multi media specific files into a single downloadable file to a user system". The Office argues it would have been obvious to combine Dwek with Bodin "in order to optimize download delivery times for the transfer of files between networked systems".

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, as noted above, Applicant respectfully submits that the Office has mischaracterized these excerpts from Dwek, which do not disclose "one or more media-specific files that can be processed to provide a content-specific user interface".

Second, as noted above, Applicant also respectfully submits that the Office has mischaracterized Bodin, which neither discloses nor suggests "multiple files, each file comprising one or more media content files", "one or more media-specific files" and "one or more metafiles", as claimed.

Third, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would

not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 51 recites a method for playing media content on a media player comprising:

- receiving a file with a client computer, the file comprising:
  o one or more media content files associated with content that can be rendered on a media player on the client computer,
  o at least one media-specific file that can be processed to provide a content-specific user interface, and
  o at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player;
- playing content associated with the content files on the media player embodied on the client computer; and
- while playing the content on the media player, displaying the content-specific user interface.

In making out the rejection of this claim, the Office argues that Column 5 (lines 21-24) of Dwek discloses "at least one media-specific file". Next, the Office argues that Columns 15 (lines 5-8 and 14-18) and Columns 11 (line 66) through 12 (line 4) disclose "playing" and "displaying". The Office then argues Chasen discloses "wherein the capability to manipulate media specific file" and

Bodin discloses "the capability to combine multi media specific files into a single downloadable file to a user system". The Office argues it would have been obvious to combine Dwek with Bodin "in order to optimize download delivery times for the transfer of files between networked systems".

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, as noted above, Applicant respectfully submits that the Office has mischaracterized these excerpts from Dwek, which do not disclose, "at least one media-specific file that can be processed to provide a content-specific user interface".

Second, as noted above, Applicant also respectfully submits that the Office has mischaracterized Bodin, which neither discloses nor suggests "*a file* with a client computer, *the file* comprising: one or more media content files", "at least one media-specific file" and "at least one metafile", as claimed. (emphasis added).

Third, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims 52-54 depend from claim 51 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 51, are neither disclosed nor suggested by the references of record.

Claim 55 recites a media player comprising software code that is configured to:

- receive a file with a client computer, the file comprising:
  o one or more media content files associated with content that can be rendered on the media player,
  o at least one media-specific file that can be processed to provide a content-specific user interface, and
  o at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player;
- play content associated with the content files; and
- while playing the content, display the content-specific user interface.

In making out the rejection of this claim, the Office relies on the same argument it made in ejecting claim 51.

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a prima facie case of obviousness. First, as noted above, Applicant respectfully submits that the Office has mischaracterized these excerpts from Dwek, which do not disclose, "at least one media-specific file that can be processed to provide a content-specific user interface".

Second, as noted above, Applicant also respectfully submits that the Office has mischaracterized Bodin, which neither discloses nor suggests "*a file* with a client computer, *the file* comprising: one or more media content files", "at least one media-specific file" and "at least one metafile", as claimed. (emphasis added).

Third, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a prima facie case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 56 recites method for processing media content comprising:

- receiving a file with a client computer, the file comprising:
  - one or more media content files associated with content that can be rendered on a media player on the client computer,
  - at least one media-specific file that can be processed to provide a content-specific user interface, and
  - at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player; and

- automatically organizing the received files in one or more directories on a client computer hard drive without any intervention from a user, the files being organized in a manner that permits audio and visual content to be played on a media player without any intervention from the user.

In making out the rejection of this claim, the Office argues that Column 15 (lines 5-8 and 14-18) and Columns 11 (line 66) through 12 (line 4) of Dwek disclose "at least one media-specific file". Next, the Office argues that Columns 8 (lines 34-40) and 15 (lines 14-18) disclose "one or more metafiles" and Column 7 (lines 51-62) as discloses "automatically organizing the received files". Finally, the Office argues that Chasen discloses "wherein the capability to manipulate media specific file" and Bodin discloses "the capability to combine multi media specific files into a single downloadable file to a user system". The Office argues it would have been obvious to combine Dwek with Bodin "in order to optimize download delivery times for the transfer of files between networked systems".

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, as noted above, Applicant respectfully submits that the Office has mischaracterized these excerpts from Dwek, which do not disclose "at least one media-specific file that can be processed to provide a content-specific user interface.

Second, as noted above, Applicant also respectfully submits that the Office has mischaracterized Bodin, which neither discloses nor suggests "*a file* with a client computer, *the file* comprising: one or more media content files", "at least one media-specific file", and "at least one metafile", as claimed. (emphasis added).

Third, Applicant submits that the cited excerpt from Column 7 of Dwek simply does not disclose or suggest "automatically organizing", as claimed. Instead, this excerpt merely indicates that a user may view and select one or more song files stored on a mass storage device associated with the user's computer. Applicant fails to see how this excerpt is even germane to the subject matter recited here. This excerpt is reproduced below for the Office's convenience:

> In a preferred embodiment, the database display subpane 354 also shows a directory structure for one or more mass storage devices associated with the user's computer. Thus, the user may view and select one or more song files stored on the mass storage devices. Preferably, the music player 120 can retrieve and play music selections stored onto a mass storage device in a variety of compressed audio formats, such as MP3, REAL AUDIO.RTM., LIQUID AUDIO.TM. etc. Also, the music player 120 may retrieve and play music selections stored on a compact disc, or downloaded onto a hard disk drive of a user's computer, in an uncompressed audio format.

Fourth, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims 57-60 depend from claim 56 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 56, are neither disclosed nor suggested by the references of record.

Claim 61 recites a media player comprising software code configured to cause the media player to:

- receive a file, the file comprising:
  - one or more media content files associated with content that can be rendered on the media player,
  - at least one media-specific file that can be processed to provide a content-specific user interface, and
  - at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player; and
- automatically organize the received files in one or more directories on a client computer hard drive without any intervention from a user, the files being organized in a manner that permits audio and visual content to be played on the media player without any intervention from the user.

In making out the rejection of this claim, the Office relies on the same argument it made in ejecting claim 56.

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, as noted above, Applicant respectfully submits that the Office has mischaracterized these excerpts

from Dwek, which do not disclose "at least one media-specific file that can be processed to provide a content-specific user interface.

Second, as noted above, Applicant also respectfully submits that the Office has mischaracterized Bodin, which neither discloses nor suggests "*a file* with a client computer, *the file* comprising: one or more media content files", "at least one media-specific file", and "at least one metafile", as claimed. (emphasis added).

Third, Applicant submits that the cited excerpt from Column 7 of Dwek simply does not disclose or suggest "automatically organizing", as claimed.

Fourth, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 62 depends from claim 61 and is allowable as depending from an allowable base claim. This claim is also allowable for its own recited features

which, in combination with those recited in claim 61, are neither disclosed nor suggested by the references of record.

Claim 63 recites a method of playing media content comprising:

- receiving a file with a client computer, the file comprising:
  - one or more media content files associated with content that can be played on a media player on the client computer,
  - at least one media-specific file that can be processed to provide a content-specific user interface, and
  - at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player; and
- automatically playing content associated with the one or more media content files using a media player embodied on the client computer; and
- while playing said content, automatically displaying the content-specific user interface.

In making out the rejection of this claim, the Office relies on the same argument it made in ejecting claim 56.

Applicant traverses this rejection and respectfully submits that the Office has failed to establish a *prima facie* case of obviousness. First, as noted above, Applicant respectfully submits that the Office has mischaracterized these excerpts from Dwek, which do not disclose "at least one media-specific file that can be processed to provide a content-specific user interface.

Second, as noted above, Applicant also respectfully submits that the Office has mischaracterized Bodin, which neither discloses nor suggests "*a file* with a client computer, *the file* comprising: one or more media content files", "at least

one media-specific file", and "at least one metafile", as claimed. (emphasis added).

Third, Applicant submits that the cited excerpt from Column 7 of Dwek simply does not disclose or suggest "automatically organizing", as claimed.

Fourth, as discussed above, the Office's stated motivation "to optimize", like the motivation "to improve efficiency", is too general because it could cover almost any alteration contemplated of Dwek and does not address why this specific proposed modification would have been obvious. Furthermore, here, this stated motivation is not even relevant because modifying Dwek with Bodin would not provide any optimization of delivery times for the transfer of files, as the Office contends.

Finally, as noted above, modifying Dwek with Bodin would impermissibly change Dwek's principle of operation and impermissibly render it unsatisfactory for its intended purpose.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims 64-65 depend from claim 63 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 63, are neither disclosed nor suggested by the references of record.

Claims rejected over Dwek in view of Bodin, Chasen and Van Zoest

Claims 5 and 6 depend from claim 1. In making out the rejection of these claims, the Office argues that Dwek, Boden, Chasen and Van Zoest disclose or suggest all of their subject matter and that it would have been obvious to combine Dwek with the teachings of Van Zoest "in order to achieve the extended capabilities of internet based browsing."

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 1, and Van Zoest fails to remedy this deficiency. As such, these references cannot be said to disclose or suggest all of the subject matter of these dependant claims, either singly or in combination.

In addition, one would not have been motivated to modify Dwek "to achieve the extended capabilities of internet based browsing" because Dwek already provides these capabilities. (e.g., see Abstract of Dwek which states: "[a] system and method for delivering multimedia content to computers over a computer network, such as the Internet, includes...").

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, these claims are allowable.

Claim 14 depends from claim 12. In making out the rejection of this claim, the Office argues that Dwek, Boden, Chasen and Van Zoest disclose or suggest all of its subject matter and that it would have been obvious to combine Dwek with the teachings of Van Zoest (Column 5 (lines 1-6)) "in order to achieve the extended capabilities of internet based browsing."

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 12, and Van Zoest fails to remedy this deficiency. Furthermore, the cited excerpt from Van Zoest merely describes a relationship between a user and a user interface server. As such, it simply fails to disclose or suggest "establishing a relationship between the one media-specific file and the one media content file" as claimed. Accordingly, these references cannot be said to disclose or suggest all of the subject matter of this dependant claim, either singly or in combination.

In addition, as noted above, one would not have been motivated to modify Dwek "to achieve the extended capabilities of internet based browsing" because Dwek already provides these capabilities.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 20 depends from claim 19. In making out the rejection of this claim, the Office argues that Dwek, Boden, Chasen and Van Zoest disclose or suggest all of its subject matter and that it would have been obvious to combine Dwek with the teachings of Van Zoest "in order to achieve the extended capabilities of internet based browsing."

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 19, and Van Zoest fails to remedy this deficiency. Furthermore, as noted above, the cited excerpt from Van Zoest simply fails to disclose or suggest "between the one media-specific file and the one media content file" as claimed.

As such, these references cannot be said to disclose or suggest all of the subject matter of this dependant claim, either singly or in combination.

In addition, as noted above, one would not have been motivated to modify Dwek "to achieve the extended capabilities of internet based browsing" because Dwek already provides these capabilities.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 27 depends from claim 25. In making out the rejection of this claim, the Office argues that Dwek, Boden, Chasen and Van Zoest disclose or suggest all of its subject matter and that it would have been obvious to combine Dwek with the teachings of Van Zoest "in order to achieve the extended capabilities of internet based browsing."

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 25, and Van Zoest fails to remedy this deficiency. As such, these references cannot be said to disclose or suggest all of the subject matter of this dependant claim, either singly or in combination.

In addition, as noted above, one would not have been motivated to modify Dwek "to achieve the extended capabilities of internet based browsing" because Dwek already provides these capabilities.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 34 depends from claim 32. In making out the rejection of this claim, the Office argues that Dwek, Boden, Chasen and Van Zoest disclose or suggest all of its subject matter and that it would have been obvious to combine Dwek with the teachings of Van Zoest "in order to achieve the extended capabilities of internet based browsing."

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 32, and Van Zoest fails to remedy this deficiency. Furthermore, as noted above, the cited excerpt from Van Zoest simply fails to disclose or suggest "an XML data structure that establishes said relationship" as claimed. As such, these references cannot be said to disclose or suggest all of the subject matter of this dependant claim, either singly or in combination.

In addition, as noted above, one would not have been motivated to modify Dwek "to achieve the extended capabilities of internet based browsing" because Dwek already provides these capabilities.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 43 depends from claim 39. In making out the rejection of this claim, the Office argues that Dwek, Boden, Chasen and Van Zoest disclose or suggest all of its subject matter and that it would have been obvious to combine Dwek with the teachings of Van Zoest "in order to achieve the extended capabilities of internet based browsing."

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 39, and Van Zoest fails to remedy this deficiency. As such, these references cannot be said to disclose or suggest all of the subject matter this dependant claim, either singly or in combination.

In addition, as noted above, one would not have been motivated to modify Dwek "to achieve the extended capabilities of internet based browsing" because Dwek already provides these capabilities.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 48 depends from claim 45. In making out the rejection of this claim, the Office argues that Dwek, Boden, Chasen and Van Zoest disclose or suggest all of its subject matter and that it would have been obvious to combine Dwek with the teachings of Van Zoest "in order to achieve the extended capabilities of internet based browsing."

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 45, and Van Zoest fails to remedy this deficiency. Furthermore, as noted above, the cited excerpt from Van Zoest simply fails to disclose or suggest "XML data structure that establishes said relationship" as claimed. As such, these references cannot be said to disclose or suggest all of the subject matter of this dependant claim, either singly or in combination.

In addition, as noted above, one would not have been motivated to modify Dwek "to achieve the extended capabilities of internet based browsing" because Dwek already provides these capabilities.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claims rejected over Dwek in view of Bodin, Chasen and Van Zoest

Claim 7 depends from claim 1. In making out the rejection of this claim, the Office argues that Dwek, Boden, Chasen and England disclose or suggest all of its subject matter and that it would have been obvious to combine Dwek with the teachings of England.

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 1, and England fails to remedy this deficiency. As such, these references cannot be said to disclose or suggest all of the subject matter of this dependant claim, either singly or in combination.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 11 depends from claim 9. In making out the rejection of this claim, the Office argues that Dwek, Boden, Chasen and England disclose or suggest all of its subject matter and that it would have been obvious to combine Dwek with the teachings of England.

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 9, and England fails to remedy this deficiency. As such, these references cannot be said to disclose or suggest all of the subject matter of this dependant claim, either singly or in combination.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 13 depends from claim 12. In making out the rejection of this claim, the Office argues that Dwek, Boden, Chasen and England disclose or suggest all of its subject matter and that it would have been obvious to combine Dwek with the teachings of England.

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 12, and England fails to remedy this deficiency. As such, these references cannot be said to disclose or suggest all of the subject matter of this dependant claim, either singly or in combination.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.

Claim 41 depends from claim 39. In making out the rejection of this claim, the Office argues that Dwek, Boden, Chasen and England disclose or suggest all of its subject matter and that it would have been obvious to combine Dwek with the teachings of England.

Applicant respectfully disagrees and traverses this rejection. As noted above, Dwek, Boden, and Chasen fail to disclose or suggest the subject matter of claim 39, and England fails to remedy this deficiency. As such, these references cannot be said to disclose or suggest all of the subject matter of this dependant claim, either singly or in combination.

In view of the above discussion, the Office has not established a *prima facie* case of obviousness. Accordingly, for at least this reason, this claim is allowable.
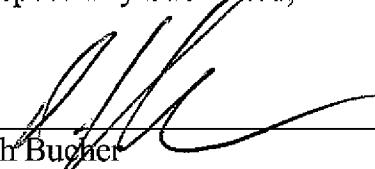
Conclusion

The Office has failed to establish a *prima facie* case of obviousness. Accordingly, Applicant respectfully requests that the rejections be overturned and that the pending claims be allowed to issue.

Respectfully Submitted,

Dated: 5/3/2007   By: _____
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(8)   Appendix of Appealed Claims

1.   (Original) A method of providing a user experience when playing media on a media player comprising:

downloading a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated;

playing the media content with a media player; and

automatically displaying the user interface when the media content is played with the media player.

2.   (Original) The method of claim 1, wherein said automatically displaying comprises displaying the user interface as part of the media player.

3.   (Original) The method of claim 1, wherein said automatically displaying comprises displaying the user interface to comprise the media player.

4.   (Original) The method of claim 1, wherein said at least one media-specific file comprises multiple files including a definition file that defines how other associated files are to be used, and art files containing images that are associated with the user interface.

5.   (Original) The method of claim 4, wherein said at least one media-specific file comprises least one script file for scripting.

6.   (Original) The method of claim 4, wherein said at least one media-specific file comprises least one script file that provides a capability for the user interface to respond to events.

7.   (Original) The method of claim 1 further comprising prior to said playing, using a digital rights management technique to access one or more of the downloaded file, media-specific file, and media content.

8.   (Original) One or more computer-readable media having computer readable instructions thereon which, when executed by a computer, cause the computer to:

download a file that contains at least one media-specific file configured to provide a user interface, and song files with which the user interface is associated;

play the song files with a media player; and

automatically display the user interface when the song files are played with the media player.

9.   (Original) A media player comprising software code that is configured to:

download a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated;

play the media content; and

automatically display the user interface on at least a portion of a media player user interface when the media content is played with the media player.

10.   (Original) The media player of claim 9, wherein the software code is configured to automatically display the user interface to comprise the entire media player user interface.

11.   (Original) The media player of claim 9, wherein the software code is configured to use a digital rights management technique to access one or more of the downloaded file, media-specific file, and media content prior to playing the media content.

12.   (Previously Presented) A method of organizing media content comprising:

providing at least one media-specific file that is configured to provide a user interface on at least a portion of a media player;

providing at least one media content file configured for play on the media player; and

associating the one media-specific file with the one media content file such that any time the one media content file is played on the media player, the one media-specific file is processed to automatically display the user interface on at least a portion of the media player,

wherein said associating comprises packaging the one media-specific file and the one media content file in a single downloadable file.

13.   (Original) The method of claim 12 further comprising protecting at least one of the media-specific file and the media content file using a digital rights management technique.

14.   (Original) The method of claim 12, wherein said associating comprises establishing a relationship between the one media-specific file and the one media content file using an XML data structure.

15.   (Original) The method of claim 12, wherein the one media content file comprises at least one song file.

16.   (Original) The method of claim 12, wherein the one media content file comprises multiple song files.

18.   (Original) One or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, implement the method of claim 12.

19. (Previously Presented) A method of organizing media content comprising:

providing at least one media-specific file that is configured to provide a media player user interface;

providing at least one media content file configured for play on a media player; and

associating the one media-specific file with the one media content file such that any time the one media content file is played on the media player, the one media-specific file is processed to automatically display the media player user interface,

wherein said associating comprises packaging the one media-specific file and the one media content file in a single downloadable file.

20.   (Original) The method of claim 19, wherein said associating comprises establishing a relationship between the one media-specific file and the one media content file using an XML data structure.

21.   (Original) The method of claim 19, wherein the one media content file comprises at least one song file.

22.   (Original) The method of claim 19, wherein the one media content file comprises multiple song files.

24.   (Original) One or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, implement the method of claim 19.

25.   (Original) A method of organizing content for a user experience comprising:

providing multiple different files that define different aspects of a media player user interface, at least some files being associated with media content and at least some other files being associated with visual content; and

organizing the files for sending over a network to a client computer, said organizing using a hierarchical tag-based structure to establish a relationship between the files such that when the media content is played by a media player, the visual content is automatically displayed as at least part of the media player user interface.

26.   (Original) The method of claim 25, wherein when the media content is played by a media player, the visual content is automatically displayed to comprise an entire media player user interface.

27.   (Original) The method of claim 25, wherein said organizing comprises using a hierarchical tag-based structure comprising an XML data structure.

(Original) A method of accessing media content comprising:

displaying a link to media content;

responsive to a user clicking on the link, automatically downloading a file that contains at least one media content file and at least one file that is configured

to provide at least a portion of a media player user interface that is specific to media content associated with the one media content file;

playing the media content on a media player; and

responsive to said playing, automatically displaying said portion of the media player user interface.

29.   (Original) The method of claim 28, wherein said portion comprises an entire media player user interface.

30.   (Original) The method of claim 28, wherein said automatically displaying comprises automatically flipping from a non-media player user interface to a media player user interface.

31.   (Original) One or more computer-readable media having computer readable instructions thereon which, when executed by a computer, cause the computer to:

display a link to media content;

responsive to a user clicking on the link, automatically download a file that contains at least one media content file and at least one file that is configured to provide at least a portion of a media player user interface that is specific to media content associated with the one media content file;

play the media content on a media player; and

responsive to playing the media content, automatically display said portion of the media player user interface.

32.   (Original) A media delivery mechanism comprising:

a single file comprising:

one or more media content files associated with content that can be played on a media player;

one or more content-specific files that can be processed to provide a content-specific user interface associated with content that is played on the media player; and

a relationship between the one or more media content files and the one or more content-specific files such that a content-specific user interface is displayed on a computer when the content associated with the one or more media content files is played on the media player.

33.   (Original) The media delivery mechanism of claim 32, wherein said relationship is established by a metafile that comprises part of the single file.

34.   (Original) The media delivery mechanism of claim 33, wherein said metafile comprises an XML data structure that establishes said relationship.

35.   (Original) The media delivery mechanism of claim 32, wherein the content-specific user interface comprises only a portion of a media player user interface.

36. (Original) The media delivery mechanism of claim 32, wherein the content-specific user interface comprises an entire media player user interface.

37. (Original) The media delivery mechanism of claim 32, wherein the relationship causes the same content-specific user interface to be displayed for multiple media content files.

38. (Original) The media delivery mechanism of claim 32, wherein said one or more media content files comprise song files.

39. (Previously Presented) A method of providing a media delivery mechanism comprising:

providing one or more media-specific files, the files being configured to provide at least a portion of a media player user interface, said portion being associated with specific media that can be played on a media player;

providing one or more media content files associated with media that can be played on a media player embodying the media player user interface, said media content files comprising the specific media with which the media player user interface portion is associated; and

defining one or more metafiles that associate the one or more media-specific files with the one or more media content files, the one or more metafiles being configured for processing such that when the media player plays media associated with a media content file, the media player automatically renders the media player user interface portion;

associating the one or more media-specific files, the one or more media content files, and the one or more metafiles in a single downloadable file.

41.   (Previously Presented) The method of claim 39 further comprising protecting one or more of the media-specific files, media content files, metafiles, and single downloadable file using one or more digital rights management technique.

42.   (Previously Presented) The method of claim 39 further comprising uploading the single downloadable file to a Web site.

43.   (Previously Presented) The method of claim 39, wherein said one or more metafiles associate said files using an XML data structure.

44.   (Previously Presented) The method of claim 39, wherein said providing of the one or more media-specific files comprises providing one or more media-specific files that are configured to provide an entire media player user interface.

45.   (Original) A method of providing media content over a network comprising:

receiving input requesting that a file be sent to a client computer, the file comprising:

one or more media content files associated with content that can be played on a media player on the client computer,

one or more media-specific files that can be processed to provide a content-specific user interface, and

one or more metafiles that establish a relationship between the one or more media content files and the one or more media specific files such that a content-specific user interface is displayed when the content is played on the media player; and

sending the requested file to the client computer.

46.   (Original) The method of claim 45, wherein the content-specific user interface comprises only a portion of a media player user interface.

47.   (Original) The method of claim 45, wherein the content-specific user interface comprises an entire media player user interface.

48.   (Original) The method of claim 45, wherein the one or more metafiles comprise at least one XML data structure that establishes said relationship.

49.   (Original) The method of claim 45, wherein the media content files comprise at least one song file.

(Original) A server computer comprising:

at least one computer-readable media; and

computer-readable instructions resident on the computer-readable media which, when executed by the server, cause the server to:

maintain multiple files, each file comprising:

one or more media content files associated with content that can be played on a media player on the client computer,

one or more media-specific files that can be processed to provide a content-specific user interface, and

one or more metafiles that establish a relationship between the one or more media content files and the one or more media specific files such that a content-specific user interface is displayed when the content is played on the media player;

receive input requesting that one or more of the multiple files be sent to a client computer; and

send the one or more requested files to the client computer.

51. (Original) A method for playing media content on a media player comprising:

receiving a file with a client computer, the file comprising:

one or more media content files associated with content that can be rendered on a media player on the client computer,

at least one media-specific file that can be processed to provide a content-specific user interface, and

at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface

is provided when the content associated with the content files is played on the media player;

playing content associated with the content files on the media player embodied on the client computer; and

while playing the content on the media player, displaying the content-specific user interface.

52. (Original) The method of claim 51, wherein the content-specific user interface comprises only a portion of a media player user interface.

53. (Original) The method of claim 51, wherein the content-specific user interface comprises an entire media player user interface.

54. (Original) One or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, cause the computer to implement the method of claim 51.

55. (Original) A media player comprising software code that is configured to:

receive a file with a client computer, the file comprising:

one or more media content files associated with content that can be rendered on the media player,

at least one media-specific file that can be processed to provide a content-specific user interface, and

at least one metafile that establishes a relationship between the media

content files and the media-specific files such that a content-specific user interface

is provided when the content associated with the content files is played on the

media player;

play content associated with the content files; and

while playing the content, display the content-specific user interface.

(Original) A method for processing media content comprising:

receiving a file with a client computer, the file comprising:

one or more media content files associated with content that can be

rendered on a media player on the client computer,

at least one media-specific file that can be processed to provide a content-

specific user interface, and

at least one metafile that establishes a relationship between the media

content files and the media-specific files such that a content-specific user interface

is provided when the content associated with the content files is played on the

media player; and

automatically organizing the received files in one or more directories on a

client computer hard drive without any intervention from a user, the files being

organized in a manner that permits audio and visual content to be played on a

media player without any intervention from the user.

57.   (Original) The method of claim 56 further comprising automatically

playing audio content on the media player, and while playing said audio content

and responsive thereto, automatically displaying the content-specific user interface.

58.   (Original) The method of claim 56 further comprising automatically playing audio content on the media player, and while playing said audio content and responsive thereto, automatically displaying the content-specific user interface to comprise only a portion of a media player user interface associated with the media player.

59.   (Original) The method of claim 56 further comprising automatically playing audio content on the media player, and while playing said audio content and responsive thereto, automatically displaying the content-specific user interface to comprise an entire media player user interface associated with the media player.

60.   (Original) One or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, cause the computer to implement the method of claim 56.

61.   (Original) A media player comprising software code configured to cause the media player to:

receive a file, the file comprising:

one or more media content files associated with content that can be rendered on the media player,

at least one media-specific file that can be processed to provide a content-specific user interface, and

at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player; and

automatically organize the received files in one or more directories on a client computer hard drive without any intervention from a user, the files being organized in a manner that permits audio and visual content to be played on the media player without any intervention from the user.

62.   (Original) The media player of claim 61, wherein the software code further causes the media player to automatically play audio content, and while playing said audio content and responsive thereto, automatically display the content-specific user interface.

63.   (Original) A method of playing media content comprising:

receiving a file with a client computer, the file comprising:

one or more media content files associated with content that can be played on a media player on the client computer,

at least one media-specific file that can be processed to provide a content-specific user interface, and

at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface

is provided when the content associated with the content files is played on the media player; and

automatically playing content associated with the one or more media content files using a media player embodied on the client computer; and

while playing said content, automatically displaying the content-specific user interface.

64.   (Original) The method of claim 63, wherein said displaying comprises doing so without any intervention from a user.

65.   (Original) A media player comprising software code which, when executed by a computer, causes the media player to implement the method of claim 63.

(9)   Evidence appendix. None

(10)   Related proceedings appendix. None